

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

EQUAL EMPLOYMENT)	CIVIL NO.
OPPORTUNITY COMMISSION,)	
Plaintiff,)	COMPLAINT
v.)	
))	<u>JURY TRIAL DEMAND</u>
RLS, Inc., dba SEBO'S DO-IT-CENTER)	
))	
Defendant.)	
<hr/>		

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 ("Title VII") and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Gloria Crouch and a group of similarly situated female employees ("the class") who were adversely affected by such practices. The Equal Employment Opportunity Commission alleges that Defendant RLS, Inc., dba SEBO's Do-It-Center ("SEBO's" or "Defendant") subjected Ms. Crouch and the class to a sexually hostile work environment. The EEOC further alleges this sexually hostile work environment led to the constructive termination of Ms. Crouch. Plaintiff seeks injunctive and monetary relief, including pecuniary and nonpecuniary compensatory damages and punitive damages, on behalf of Ms. Bernhardt and the class.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451,1331,1337, 1343 and 1345. This action is authorized and instituted pursuant to sections 706(f)(1) and (3) of Title VII

1 of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e-5(f)(1) and (3) ("Title VII"), and
2 Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

3 2. The employment practices alleged to be unlawful were and are committed within the
4 jurisdiction of the United States District Court for the Western District of Washington.

5 PARTIES

6 3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is
7 the agency of the United States of America charged with the administration, interpretation and
8 enforcement of Title VII and is expressly authorized to bring this action by Sections 706(f)(1) and
9 (3) of Title VII, as amended, 42 U.S.C. §§ 2000e-5(f)(1) and (3).

10 4. At all relevant times, Defendant has continuously been a corporation doing business
11 in the State of Washington and has continuously had at least 15 employees.

12 5. At all relevant times, Defendant has continuously been an employer engaged in an
13 industry affecting commerce within the meaning of Sections and Sections 701(b), (g) and (h) of Title
14 VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

15 STATEMENT OF CLAIMS

16 6. More than thirty days prior to the institution of this lawsuit, Gloria Crouch filed a
17 charge of discrimination with the Commission alleging violations of Title VII by Defendant. All
18 conditions precedent to the institution of this lawsuit have been fulfilled.

19 7. Since at least October, 2001, Defendant has engaged in unlawful employment
20 practices at its facility in Clinton, Washington in violation of Section 703(a) of Title VII, 42 U.S.C.
21 § 2000e-2(a). Defendant affected the terms and conditions of Ms. Crouch's and the class members'
22 employment by subjecting them to sexual harassment. Further, this sexually hostile work
23 environment led to the constructive termination of Ms. Crouch.

24 8. The effect of the practice(s) complained of in paragraph 7 above has been to deprive
25 Ms. Crouch and class members of equal employment opportunities and otherwise adversely affect

1 their status as employees because of their sex.

2 9. The unlawful employment practices complained of in paragraph 7 above were and
3 are intentional.

4 10. The unlawful employment practices complained of in paragraph 7 above were and
5 are done with malice or with reckless indifference to the federally protected rights of Ms. Crouch
6 and the other class members.

7 PRAYER FOR RELIEF

8 Wherefore, the Commission respectfully requests that this Court:

9 A. Grant a permanent injunction enjoining Defendant and its officers, agents, successors,
10 assigns, and all persons in active concert or participation with it, from engaging in any employment
11 practices that discriminate on the basis of sex.

12 B. Order Defendant to institute and carry out policies, practices and programs which
13 provide equal employment opportunities for women and which eradicate the effects of its past and
14 present unlawful employment practices.

15 C. Order Defendant to make whole Ms. Crouch and all other class members by providing
16 appropriate back pay with prejudgment interest, in amounts to be proved at trial, and other
17 affirmative relief necessary to eradicate the effects of its unlawful employment practices.

18 D. Order Defendant to make whole Ms. Crouch and all other class members by providing
19 compensation for past and future pecuniary losses resulting from the unlawful employment practices
20 described in paragraphs 7-10, including without limitation past and future out-of-pocket expenses,
21 in amounts to be determined at trial.

22 E. Order Defendant to make whole Ms. Crouch and all other class members by providing
23 compensation for past and future non-pecuniary losses resulting from the unlawful practices
24 described in paragraphs 7-10, including without limitation emotional pain, suffering, loss of
25 enjoyment of life and humiliation in amounts to be determined at trial.

1 F. Order Defendant to pay Ms. Crouch and all other class members punitive damages
2 for its malicious and/or reckless conduct described in paragraphs 7-10 above in an amount to be
3 determined at trial.

4 G. Grant such further relief as the Court deems necessary and proper in the public
5 interest.

6 H. Award the Commission its costs of this action.

7 //

8 //

9 //

10 //

11 //

12 //

13 //

14 //

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

1 JURY TRIAL DEMAND

2 The Commission requests a jury trial on all questions of fact raised by its complaint.

3 DATED this _____ day of _____, 2004.

4 A. LUIS LUCERO, JR.
5 Regional Attorney

ERIC S. DREIBAND
General Counsel

6 JOHN F. STANLEY
7 Supervisory Trial Attorney

JAMES L. LEE
Deputy General Counsel

8 WESLEY KATAHIRA
Senior Trial Attorney

9 GWENDOLYN YOUNG REAMS
Associate General Counsel

10 BY: /S/ A. Luis Lucero

11 EQUAL EMPLOYMENT
12 OPPORTUNITY COMMISSION
Seattle District Office
13 909 First Avenue, Suite 400
Seattle, Washington 98104
Telephone (206) 220-6918
14 Wesley.Katahira@eeoc.gov

Office of the General Counsel
1801 "L" Street NW
Washington, D.C. 20507

15
16 Attorneys for Plaintiff